

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Wesley C. Bryant**

**Docket No. 5:10-MJ-2029-1**

**Petition for Action on Probation**

COMES NOW Thomas E. Sheppard, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Wesley C. Bryant, who, upon an earlier plea of guilty to Driving While Impaired - Level 5 in violation of N.C.G.S. 20-138.1 as assimilated by 18 U.S.C. §13, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on January 10, 2012, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his privilege to do so is restored in accordance with law.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant submitted a urine specimen on January 17, 2012, which tested positive for marijuana and cocaine. He admitted using marijuana and cocaine over the weekend of January 14-15, 2012. The defendant admits that he has an addiction to cocaine, and has entered an inpatient treatment program in Dunn, NC. We recommend adding a drug aftercare condition so that, upon completion of the inpatient treatment, we can refer him to our contract agency for outpatient treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Thomas E. Sheppard  
Thomas E. Sheppard  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: February 6, 2012

**ORDER OF COURT**

Considered and ordered this 7th day of February, 2012, and ordered filed and made a part of the records in the above case.

  
James E. Gates  
United States Magistrate Judge